

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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Ditech Financial LLC

In Re:
Charles J. Carter, Allison J. Crawford

Debtor.



Order Filed on July 17, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-10094 MBK

Adv. No.:

Hearing Date: 6/25/19 @ 9:00 a.m.

Judge: Michael B. Kaplan

ORDER RESOLVING MOTION FOR RELIEF FROM STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: July 17, 2019


Honorable Michael B. Kaplan
United States Bankruptcy Judge

(Page 2)

Debtors: Charles J. Carter, Allison J. Crawford

Case No: 19-10094 MBK

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Ditech Financial LLC, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 129 Mali Drive, North Plainfield, NJ, 07062, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Andrew Thomas Archer, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of June 24, 2019, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due April 2019 through June 2019 for a total post-petition default of \$7,428.03 (3 @ \$2,556.07; less suspense \$240.18); and

It is **ORDERED, ADJUDGED and DECREED** that a payment of \$2,556.07 is to be made by June 30, 2019; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$4,871.96 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor shall file a modified plan within twenty days of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume July 1, 2019, directly to Secured Creditor care of its servicer, Ditech Financial LLC, P.O. Box 94710, Palatine, IL 60094-94710 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtor's Chapter 13 plan and motion for relief is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Charles J. Carter
Debtor

Case No. 19-10094-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 17, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 19, 2019.

db +Charles J. Carter, 129 Mali Drive, North Plainfield, NJ 07062-2413

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 19, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 17, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Andrew Thomas Archer on behalf of Debtor Charles J. Carter aarcher@brennerlawoffice.com,
bankruptcy@brennerlawoffice.com;r64966@notify.bestcase.com

Denise E. Carlon on behalf of Creditor DITECH FINANCIAL LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com

Kevin Gordon McDonald on behalf of Creditor DITECH FINANCIAL LLC kmcdonald@kmlawgroup.com,
bkgroup@kmlawgroup.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5